

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

WALTER SCOTT LAMB,)	
)	
Counterclaim Defendant,)	
)	
v.)	Civil Action No. 6:21-cv-55
)	
LIBERTY UNIVERSITY, INC.,)	
)	
Counterclaim Plaintiff.)	

JOINT MOTION TO CONTINUE TRIAL DATE

Counterclaim Plaintiff Liberty University, Inc. (“Liberty”), and Counterclaim Defendant Walter Scott Lamb (“Lamb”) (collectively, the “Parties”), by counsel, respectfully move this Court to continue the trial date in this case. In support of this Motion, the Parties state as follows:

1. Trial is currently set for December 5, 2022 – December 8, 2022. (ECF No. 26.)
2. Counsel for the Parties have met and conferred and agree that a continuance of the trial date and all discovery and pretrial deadlines is necessary in light of ongoing motions practice and the need for additional time to conduct discovery.
3. Over the past several months, the Parties have engaged in significant motions practice.
4. Much of this motions practice is ongoing. Specifically, the following motions are currently pending before the Court:
 - a. Lamb’s Motion for Leave to File Second Amended Complaint (ECF No. 71);
 - b. Liberty’s Motion for Sanctions (ECF No. 84);
 - c. Two Motions to Compel filed by Lamb (ECF Nos. 95 and 101)

5. Because of the ongoing motions practice, the scope of discovery remains uncertain. In particular, it remains to be determined whether discovery will be needed on Mr. Lamb's affirmative claims, of which there are currently none pending.

6. The Parties have also engaged in significant document discovery to date, including multiple sets of written discovery requests and multiple document productions by each Party.

7. As such, good cause exists for a continuance because: there is significant ongoing motions practice; the parties need additional time to conduct necessary discovery; the Parties have not previously requested a continuance of the trial date; and a continuance will not prejudice any party or the Court.

8. The Parties anticipate that a trial date in spring 2023 would give the Parties adequate time to complete the discovery needed to adequately prepare for anticipated dispositive motions and trial.

Accordingly, the Parties request that the Court grant this Motion, continue the trial date to a mutually convenient time for the Court and the Parties, and continue all discovery and pretrial deadlines accordingly.

Dated: August 25, 2022

Respectfully submitted,

LIBERTY UNIVERSITY, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of August 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send a true and correct copy to all counsel of record.

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